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5  
6 UNITED STATES DISTRICT COURT

7 NORTHERN DISTRICT OF CALIFORNIA

8  
9 UNITED STATES, } No. CR-21-268-SI  
10 Plaintiff, }  
11 v. } **NOTICE OF RELATED CASE IN A  
12 RODRIGO SANTOS, } CRIMINAL ACTION**  
13 Defendant. }  
14 UNITED STATES, } Nos. 21-CR-00453-VC-1 and  
15 Plaintiff, } 21-CR-00453-VC-2  
16 v. }  
17 BERNARD CURRAN and }  
18 RODRIGO SANTOS, }  
19 Defendants. }

20 **TO THE UNITED STATES AND THE ABOVE COURT:**

21 **NOTICE IS GIVEN** that in accordance with Local Rule 8-1, the  
22 above indicted cases are related and should be assigned to a  
23 single judge.

24 Defendant Rodrigo Santos ("Santos") is a structural engineer,  
25 permit expediter, and former President of the San Francisco  
26 Building Inspection Commission. The alleged misconduct described  
27

1 in both of the alleged Indictments stems from Santos' work as a  
2 permit expediter hired by property owners and building project  
3 sponsors to facilitate the issuance of building permits and  
4 inspections of building projects by the San Francisco Department  
5 of Building Inspections ("DBI").  
6

7 In CR-21-268-SI, Santos is charged with Bank Fraud under 18 U.S.C. § 1344(2) for allegedly diverting checks from clients  
8 intended for the "Golden Gate Youth Rugby Association" ("GGYRA"),  
9 public officials and public agencies. Santos is alleged to have  
10 told clients that their checks were for permit fees, to secure  
11 entitlements, or to influence DBI Senior Inspector Bernard Curran.  
12 Nine of the checks, totaling \$10,000, were made out to GGYRA.  
13

14 In 21-CR-00453-VC, Santos is charged with codefendant Bernard  
15 Curran ("Curran") in a two-count Indictment alleging Conspiracy to  
16 Commit Honest Services Wire Fraud under 18 U.S.C. §§ 1343, 1346,  
17 and 1349; and Honest Services Wire Fraud under 18 U.S.C. §§ 1343  
18 and 1346, for essentially the same conduct and based on Building  
19 Inspector Curran's ties to the GGYRA.  
20

21 The cases qualify as related under Crim. L. R. 8-1(b).  
22 Rodrigo Santos is a defendant in both actions. Checks written by  
23 clients of Santos to GGYRA are the basis of charges in both  
24 actions. On information and belief, Bernard Curran inspected the  
25 majority of projects involved in both actions.  
26

Both actions involve the role played by permit expediter and DBI in the permit inspection and approval process of real estate development. Specifically, the government alleges in the bank fraud case that Santos was able to divert funds from clients because of his work as their permit expediter. In the theft of honest services case the prosecution contends that Santos used his position as permit expediter to wrongfully influence Curran to inspect and approve projects.

There will be a substantial duplication of effort and the possibility of unnecessary expenses if the cases are heard by different judges. A knowledge of the complex process for securing building permits and approvals from DBI will be needed to understand the allegations against Santos and his defenses.

Accordingly, Defendant Rodrigo Santos gives this notice that CR-21-268-SI and 21-cr-00453-VC-2 are related cases. The undersigned has contacted Philip Kearney, counsel for co-defendant Curran, who does not object to the matter in 21-CR-00453-VC being related to the older matter in CR-21-268-SI.

Dated: December 16, 2021 Respectfully submitted,

Randall Knox  
Attorney for Rodrigo Santos